

PLEASE TAKE NOTICE that, upon Defendant Luxco, Inc.’s Memorandum of Law in Support of Motion to Dismiss Plaintiff’s Amended Complaint and the Affirmation of Philippe Zimmerman, dated January 21, 2011, the exhibits thereto, and the Amended Complaint, Defendant, Luxco, Inc. (“Luxco”), will move this Court before the Hon. Paul A. Crotty, at the

United States Courthouse located at 500 Pearl Street New York, NY 10007-1312, Courtroom 20C, on a date and time to be set by the Court, for an order (i) dismissing of this action, pursuant to Federal Rule of Civil Procedure 12(b)(6), and (ii) granting such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that pursuant to the schedule agreed to at the pre-motion conference held on January 11, 2011, opposition papers, if any, are to be served by February 4, 2011, and Defendant's reply papers, if any, must be served by February 10, 2011.

Dated: January 21, 2011

Respectfully submitted,

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